

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Huang et al. Art Unit: 2872
Serial No.: 09/702,280 Examiner: C. Curtis

Filed: October 30, 2000

Title : OPTICAL POLARIZATION BEAM COMBINER/SPLITTER

Commissioner for Patents Washington, D.C. 20231

SEP 20 2002

ECHNOLOGY CERTER 2800

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b), FINISAR, INC., a Delaware corporation having a place of business in Sunnyvale, California, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

- An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _, Frame _ on _.
- A chain of title from the inventors of the patent application identified above, to the current assignee as shown below.
- 1. From Ping Xie and Yonglin Huang to New Focus, Inc. recorded in the Patent and Trademark Office at Reel 010266, Frame 0228 on 9/27/1999.
- 2. From New Focus, Inc. to Finisar, Inc.. A copy of said assignment is attached hereto.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

	September 9, 2002
Date of Deposit	Moldmod
Signature	

Gina Maldonado

Typed or Printed Name of Person Signing Certificate



Applicant: Huang et al. Serial No.: 09/702,280 Filed: October 30, 2000

Page: 2

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

Frederick H. Rabin	Reg. No. 24,488	Andrew T. D'Amico	Reg. No. 33,375
John B. Pegram	Reg. No. 25,198	Stephan J. Filipek	Reg. No. 33,384
David R. Francescani	Reg. No. 25,259	Samuel Borodach	Reg. No. 38,388
William J. Hone	Reg. No. 26,739	Chris T. Mizumoto	Reg. No. 42,899
Richard P. Ferrara	Reg. No. 30,632	Stuart Macphail, Ph.D.	Reg. No. 44,217
Andrew N. Parfomak	Reg. No. 32,431	Paul A. Levy	Reg. No. 45,748
Allulow 14. I allollian	106. 110. 32, 131	1 441 111 201)	

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

PAUL A. LEVY FISH & RICHARDSON P.C. 45 Rockefeller Plaza, Suite 2800 New York, New York 10111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Applicant: Huang et al. Serial No.: 09/702,280

: October 30, 2000 Filed

Page

: 3

Attorney's Docket No.: 13837-015004

Respectfully submitted,

JUNE 26, 2002

Signature:

Name: MARK

Title: VP of ENGINEERING FINISAR CORP

Fish & Richardson P.C. 45 Rockefeller Plaza, Suite 2800 New York, New York 10111 Telephone: (212) 765-5070 Facsimile: (212) 258-2291

30099987.doc

PATENT ASSIGNMENT AGREEMENT

WHEREAS, the undersigned, New Focus, Inc., a Delaware corporation, having a place of business at 5215 Hellyer Avenue, San Jose, California 95138 (the "Assignor") is the owner of the entire rights, title and interest in the patent properties listed on Schedule A (the "Assigned Patent Properties"); and

WHEREAS, Finisar Corporation, a Delaware corporation, having a place of business at 1308 Moffett Park Drive, Sunnyvale, California 94089 (the "Assignee"), is desirous of acquiring the Assigned Patent Properties and any rights in the Assigned Patent Properties for the good and valuable consideration set forth in that Intellectual Property Agreement by and between Assigner and Assignee dated May 10, 2002;

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by Assignor to have been received in full from Assignee:

- 1. Effective upon execution, Assignor does hereby sell, assign, transfer and convey unto Assignee, all of its rights, title and interest together with the benefits and privileges in and to all inventions and discoveries set forth in the Assigned Patent Properties.
- Assignor hereby covenants and agrees to cooperate with Assignee to enable Assignee to obtain, sustain, enforce and enjoy to the fullest extent all rights, title and interest herein conveyed in any country. Such cooperation by Assignor shall include production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed reasonably necessary or desirable by Assignee, (a) for perfecting in Assignee the rights, title and interest herein conveyed; (b) for filing and prosecuting substitute, divisional, continuing or additional applications covering the Assigned Patent Properties; (c) for filing and prosecuting applications for re-issuance of any of the Assigned Patent Properties; (d) for interference or other priority proceedings involving the Assigned Patent Properties; and (e) for legal proceedings involving the Assigned Patent Properties for infringement actions and court actions; provided, however, that the expense incurred by Assignor in providing such cooperation shall be paid for by Assignee. In the event that Assignee is unable for any reason to secure Assignor's signature to any document required to apply for or execute any patent applications or patents (including improvements, renewals, extensions, continuations, divisions or continuations in part thereof), Assignor hereby irrevocably designates and appoints Assignee and its duly authorized officers and agents as Assignor's agent and attorney-in-fact to act for and in their behalf, and instead of Assignor, to execute and file any such applications and to do all other lawfully permitted acts to further the perfection, prosecution and issuance of patents or other rights therein with the same legal force and effect as if executed by Assignor.
- 3. Assignor warrants that they have not knowingly conveyed and shall not convey to others any rights in said inventions, discoveries, applications, patents or Assigned Patent Properties; and warrants that they have good right to assign the same to Assignee without encurribrance.
- 4. The terms and covenants of this Patent Assignment Agreement shall inure to the benefit of Assignee, its successors and assigns, and shall be binding upon Assignor and its successors and assigns.

PAGray Cary\PA\10230651

IN WITNESS WHEREOF, Assignor has executed and delivered this instrument to Assignee effective the 10th day of May, 2002. ASSIGNOR: New Focus, Inc. Date: _ Title: STATE OF CALIFORNIA COUNTY OF Saite Clar Re-Notary Public, personally 2002 before me. 1 _, personally known or proved to me on the basis of appeared Wadin Malus satisfactory evidence to be the person whose name is subscribed tot he within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her asignature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. Witness my hand and official seal. **Notary Public**

ASSIGNEE: Finiser Corporation

THE President + CEO.

STATE OF CALIFORNIA) SS.

COUNTY OF Santa Clare)

on June 5, 2002 before me. Christing Notary Public, personally eppeared Terro Rawls personally known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her algorithm on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Notary Public

CHRISTINA CHIANG
CONTRIBATION # 1342187
Notary Public - Camornia
Sainta Clara County
My Contra Expires Feb 1, 2006

Schedule A

Assigned Patent Properties

Passives IP			Datent	Responsible Firm	•	
US Patents	,	Inventors			Status	
ratein #			Date			:
6,049,426		e, Yonglin —	04/11/00	Barid		
(10629-725)	Wilh	Huang		ADranam		
	Simplified Structure and Low					
	Polarization Mode Dispersion		00/07/07/0	David MSCB David	Maintenance Fee due 10/18/2003	
8,052,228	Compact Polarization	Ping Xie, Yongiin	04/10/00			
(10629-789)	Insensitive Circulators With	Huang				
	Simplified Structure and Low					
	Polarization Mode Dispersion		24.40.104		Maintenance Fee due 07/18/2004	_
6.175,448	Optical Circulators Using Beam	Ping Xie, Yonglin	וטיפרירט	UT/TE/UT WOGN, DAVID		_
(10629-729)	Angle Turners	Huang	70000	Sovied	Maintenance Fee due 10/03/2004	
R 212 008	Compact Polarization	Ping Xie, Yonglin	104/03/01			
(10629-765)	Insensitive Circulators With	Huang		Apranam		
(20:2001)	Simplified Structure and Low					
	Polarization Mode Dispersion				Maintenance Fee due 02/28/05	
6 282 025	Optical Polarization Beam	Yonglin Huang, Ping	08/28/01	08/28/01 Sierra Palerii Group.		
(NFCS-00-	Combiner/Splitter	XIe				
001)			FOLKOLOO.	David MSGB David	Maintenance Fee due 03/04/2005	
6.285.499	Compact Polarization	Ping Xie, Yongin		Ahraham		
(10829-792)	Insensitive Circulators With	Huang				_
	Simplified Structure and Low					
	Potentzetion Mode Dispersion		4014BM4	42/19M1 Clores Patent Group.	Maintenance Fee due 08/18/2005	_
8.331.913	Optical Polarization Beam	Yonglin Huang, Ping		Tim Brisson		
NFCS-00-	Combiner/Spiitler	eix.				. ,
017			CONBENCO	oszako Sierra Patent Group.	Maintenance Fee due 09/26/2005	_
8.363.190	Polarization insensitive Fused	Peter Chan	700760	The Brisson		
(NFCS-99-	Fiber Coupler Method and					
(001)	Apparatus		04/48/02	04/48/02 Sterna Patent Group.	Maintenance Fee due 10/16/2005	
8,373,831	Optical Polarization Beam	Yongim Huang, Fire	5	Tim Britson		
(NFCS-00-	Combiner/Splitter	PK.				-
018)						

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	Optical MUX/DEMUX	ping Xia	04/16/02 Cary	04/16/02 Cary & Kelly, Charles Maintenance Fee due 10/16/2005 ICary	Maintenance Fee o	Jue 10/16/2005
¬ =		Inventors	1	Application #	Responsible Firm and Attorney	
		Vondila	Filed 07/01/99 09/346,639	46,639	plyec	Case has gone abandoned
NF10032 C	ays	Huang	4214 0100 001458 B69	AR REG	Ahraham Conley, Rose &	Reply to Office Action due
T 6	Integrated Isolator Fused Coupler Method and Apparatus	Ping Xia, Yongun Huang, Peter Chan				06/05/2002
	NFCS-99-004 Microbend Fused Fiber Coupler	pler Peter Chen	12/22/99 09/471,583	171,583	Sierra Patent Group, Tim Brisson	Reply to Office Action due 04/30/02
	\neg	Ping Xie	01/06/00 09/479,455	479,455	Kelly, Cary	N/A
NFC1P016X1	MUX	201	02/17/00 09/507,118	507,119	Sierra Patent	NA
NFCS-99-005	NFCS-99-005 Thermal Compensated Compact Bragg Grating Filter				Group, Tim Brisson	Autor Office Action due
NFCS-99-003		Peter Chen	07/07/00 09/812,068	612,068	Sierra Patent Group, Tim Brisson	05/18/02 ·
	Division Mulliplexer Ushing Microband Coliplers		07/17/100/09/817 736	1817,736	Sierra Patent	NA
NFCS-00-011	Geom	etry Plng Xie, Yonglin atio of Huang, Sal Tiscareno			Group, Tim Brisson	
	Polarization Maintaining Fibers	arad Rettman, Ping	07/18/00 09/817,790	/817,790	Cary & Kelly,	Notice of Allowability Interior by USPTO 04/04/02; Notice
NFC1P018	Method and Apparalus for Compensating an Oplical Fitter	Xie, Peter Chen				of Allowance will follow soo
		-	·			
	A 14-14-A And Annaratus For	Ping Xie, Sal	09/12/00 09/659,903	1659,803	Cary & Kelly, Charles Cary	NA
NFC1P028	Parallel Optical Processing	Tiscareno	09/12/00 09/660,258	3/660,258	Sierra Patent	N/A
NFCS-00-012	NFCS-00-012 Improved Polarization Beam Combiner/Spillter	Garage Control			Brisson	Section Office Action due
10829-794	Optical Circulators Using Beam	n Ping Xia, Yonglin Huang	09/08/00 09/858,854	9/658,854	WSGK, David Abraham	05/13/2002
	Angle Tumers		1			

Reply to Office Action due n7/n9/n2	Reply to Office Action due 07/10/2002								Foreign Filing due U8/26/02	Received Notice of Publication 03/12/2002, Pub. No. US-2002-0024729-A1
Sierra Patent Rep Group, Tim 07/1/ Brisson	David			Cary & Kelly, N.A.	Sierra Patent Group, Tim Brisson	Conley, Rose & N/A Tayon, Noel Kivlin		Cery & Kelly, N/A Charles Cary		David
		9/713,634	02/26/01 09/792,920	06/11/01 09/879,026	07/05/01 09/900,092	07/05/01 09/800,091	07/05/01 09/900,713	08/31/01 09/944,037	08/28/01 09/941,474	08/31/01 09/944,593
10/30/00 09/702,280	10/13/00 09/687,574	11/14/00 09/713,634	02/26/01	06/11/01	07/05/01	07/05/01	07/05/01	10/13/1/01	08/28/01	08/31/01
Yonglin Huang, Ping Xie	Ping Xie, Yonglin Huang	Ping Xle, Kevin Zhang, Robert Burn	Ping XIe, Sal Tiscereno	Ping Xie, Simon Wu, Yatan Mao, Wei Wang, Brad Bettman,	Yonglin Huang, Liren Du, Meng Ma, Shuyun Huang	Yongiin Huang, Shuqing (Mary) Ma, Meng (Maggie) Ma	Yonglin Huang, Ping Xia, Xin Luo, Liren Du	Ping Xie, Simon Wu, Yalan Mao, Wel Wang, Brad Bettman,	Kevin Zhang, Ping Xie	Ping XIe, Yanglin Huang
NFCS-00-016 Optical Polarization Beam X	NFI0032 CNT Compact Optical Isolator Arrays F (10629-795)	NFCS-00-013 Precision Optical Filter With A Ball-End Joint	NFC1P028X1 A Method And Apparatus For Parallel Optical Processing For Dural Port Devices	ratus For An	solator on Mode pliffed	4	NFCS-00-014 Optical Isolator With Reduced Insertion Loss And Minimized	NFC1P039CI Method And Apparatus For An Optical Filter	NFCS-01-027 Method And Apparatus For Precision Tuning An Optical	Filter Using A Ball-End Joint Compact Polarization Insensitive Circulators with Simplified Structure and Low Polarization Mode Dispersion
NFCS-00-016 C	NF10032 CNT C (10629-795)	NFCS-00-013 P	NFC1P02BX1 A	NFC1P039 N	Se-S2- CS-	01-025) NF(0095U (6717-01301)	NFCS-00-014	NFC1P039CI P	NFCS-01-027	10829-802

				4	Г	Foreign Filling due 10/05/02	[
NFI0130US (50923-2000-	NFI0130US Mismatched Mode Field (50923-2000- Diameter Device	ping Xie, Kevin Zhang	10/02/01	10/05/01 09/972,517	Durant		
(200)				102 610	AVAIR CHOM	Foeign Filing due 10/05/02	_
NFI0131U	NFI0131U Integrated Pump Combining	Ping Xie	10/02/01	10/05/01 09/972,327	Durant		
(50923-2000- Module	Module						T
100)		- 1		100 01010	A/N Bace & N/A	A/A	
085	Fiber Optical Devices With	Yonglin Huang, Kevin 01/08/02 10/042,935	01/08/02	10/042,935	Tavon Noel		
(5717-01601)	(5717-01601) Extra High Power Handling	Zhang, Ping Xie			Kivin		$ \top $
	Capability		00,7,00	401075 222	Conley Rose & N/A	N/A	
NF10069	Optical Polarization Beam	Yonglin Huang, Oi	02/14/02	02/14/02 10/07/03/33	Tavon, Noel		
(5717-01401)	(5717.01401) Splitter/Combiner With Isolation (Brian) Deng, Liren	(Brian) Deng, Liren			Klylin		
	In The Backward Optical Path Du	Du					
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Foreign Applications Filed

Responsible Firm and Attorney

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•		18 - 74	G 00/17/00	1 Sept 1899/18739	PCT Application WSGR, David	NSGR, David	Application
10629-785		Ping Xie, Yongiin	100				filed in Japan
	₹ ₩	luang					and Europa
	Simplified Structure and Low	i					
	(also covers Circulators Using					ı	
	٦		0177700000000017100		European	WSGR, Davld	V
10629-800		Ping Xia, Yonglin	08/1/90		ç	Abraham	
P010800EP		Huang					
HCH	Simplified Structure and Low						
	Polarization Mode Dispersion			2000-565436	Japanese	WSGR, David	d/Z
10629-799	Compact Polarization	Ping Xie, Yonglin Huang			Application	Abraham	
	Insensitive Circulators With						
	Simplified Structure and Low						1
	Polarization Mode Dispersion		0000000	1042 PCT/1 1500/23759	PCT Application WSGR, David	WSGR, David	Application
10829-790	Compact Polarization	Ping Xie, Yonglin	18677 L/OL			Abraham	Fled in
	Insensitive Circulators With	Huang					adouna
	Simplified Structure and Low					,	A
	Polarization Mode Dispersion	oline Vendin	05/11/01	05/11/01/99969250.2	European	D. Young &	Annually our
P011386EP	Compact Polarization	HING YIE' LOUBIN		POCTA (\$99/23759)	Application	Co., Miles	OG. 2002
W.H ZXM	Insensitive Circulators With	Huang			•	Heines	
	Simplified Structure and Low						
	Polarization Mode Dispersion		00/1400	SENTING BOTH ISONIA 1022	PCT Application D. Young &	D. Young &	∀ <u>X</u>
NFC1P016W	NFC1P016W Optical MUXIDEMUX	Ping Xie	2007			Co., Miles	
0							

						Haines	
P011438EP (C	Optical MUX/DEMUX	Ping Xie	05/08/01 00992467. PCT/US00.	00992467.1 PCT/US00/41022	European Application	D. Young & Co., Miles Haines	Annuity due Sep. 2002
9.0	Integrated Isolator Fused Ping Xie, Yonglin Coupler Method And Apparatus Huang, Peter Chen	Ping XIe, Yonglin Huang, Peter Chen	12/05/00	12/05/00 PCT/US00/33051	PCT Application	Rose 1, Noel	National Phase filing due 06/10/02
008PCT) NFI00S1PCT (NFCS-00	Fiber Optical Pigtail Geometry Fortmproved Extractor Ratio of Polarization Maintaining Fibers	try Ping Xie, Yongiin lio of Huang, Sal Tiscareno ers	17170 O717	07/1/2/01 PCT/US01/22/62	PCT Application		File response to opinions if any by 08/17/02; Ch. II, National National due 1 month, 12/17/02
NFI0058PCT (NFCS-99 013PCT)	Precision Optical Filter With	Ping Xie, Kevln Zhang, Robert Burn —	11/09/01	11/09/01 PCT/US01/51189	PCT Application Slarra Patent Group, Tim Brisson	Slerra Patent Group, Tim Brisson	Correct Defects due 05/04/2002; Ch. It Demand due 06/14/02; File response to opinions if any by
NFCS-00- 014PCT	Optical Isolator With Reduced Insertion Loss And Minimized Polarization Mode Dispersion	Yonglin Huang, Ping Xie, Xin Luo, Liren Du		10/05/01 PCT/US01/31680	PCT Application	Sierra Patent Group, Tim Brisson	Ch. II Demand due 05/13/02; File response to opinions if any by 11/13/02

Ch. II Demand due 08/10/02; if Ch. II Demand not filed then National Phase filing dts 09/10/02	Ch. II Demand due 09/14/02; If Ch. If Demand not filed then National Phase filing due 10/14/02	Ch. II Demand due 09/14/02; If Ch. II Demand not filed then filed then National Phase filing due 10/14/02
l l	Cherles Cary	Conlay, Kose & Tayon, Noel Kivlin
PCT Application Conley, Rose & Tayon, Noe & Tayon, Noe Kivilin	PCT Application Cary & Kelly, Charles Cary	PCT Application Conlay, Rose Cn. II & Tayon, Nosl Demand dus Kivlin Ch. II Demand not filed then National Phase filing due 10/14/02
<u>01/10/02</u> PCT/US02/00901	02/08/02 PGT/US02/03717	02/14/02 PCT/US02/04215
01110102 P		02/14/02
Yonglin Huang, Shuqing (Magyle) Ma, Meng (Maggle) Ma	Ping Xie, Simon Wu, Yalan Mao, Wei Wang, Brad Bettman, Nadim Maluf	Yonglin Huang, Oi olation (Brian) Deng, Liren Path Du
NFI0095U Method And Apparatus Fur A (6717-01302) Polarization Beam (NFCS-01- Splitter/Combiner With An Integrated Optical Isolator	NFC1P039CI Method And Apparatus For An PWO Optical Filter	NFI0069PCT Optical Polarization Beam (5717-01402) Splitter/Combiner With Isolation (NFCS-01- In The Backward Optical Path 025P)
NFIDOSÉU (6717-01302) F (NFCS-01- 1024)	NFC1P039CI PWO	NF10069PCT (5717-01402) (NFCS-01- 025P)

Provisional Applications

Cary & Kelly Charles Cary		MOFO, Steve Durant		
Drovleing			Application	
	7/05/01 60/303,/05	03/15/02 Not yet assigned		
	Ping Xie, Simon Wu, 07/05/01 60/303,705 Yelan Mao, Wei	Wang, Brad Bettman		Deng, Bing Zhang
	NFC1P039P Low Dispersion, Low Channel Conse. Talk Interleaver		NFI0150P Integrated WDM Coupler For	(50923-3000- Dupley Colling Band)
Provisional Applications	NFC1P039P		NFI0150P	(50923-3000- 1

Invention Disclosures

May want to	claim priority to Provisional 60/303,705	07/05/01 or Utility 09/879,028 filed 08/11/01 and 09/944,037 filed	Will want to claim priority to Provisional filed on 03/15/02				
May	claim to Provis 60/30 filed	07/05 Utility 09/87 filled 08/11 08/31					
Cary & Kelly			MOFO, Steve Durant				
21.00	(application has been drafted)	1	Disclosure (application has been drafted)	Disclosure Disclosure Disclosure	Olsclosure	Disclosura	Disclosure
P	Ping Xie, Slman Wu, Haisheng Rong, Kevin Zhang, Yalan Mao, Wel Wang, Brad Bettman		Yonglin Huang, Shuqing Ma, Ol Deng, Bing Zhang, Liren Du	Tengda Du, Xin Luo, Ping Xie, Evan Green Jian He, Ping Xie	Jian He, Ping Xie, Chester Cirical Zhicheng Li, Yingsong Wang	Qi Deng, Liren Du, Shuqing (Mary) Ma, Bing Zhang, Xiwan Wang, Yonglin Huang	Liren Du, Xiwen Wang, Bing Zheng, Ol (Brian) Deng. Shuqing (Mary) Ma, Yonglin Huang
	Nethod And Apparatus For An Optical Multiplexer And Demultiplexer With An Optical Processing Loop		NFI0150 integrated WDM Coupler For (50923-2000- Duplex Communication 500	Hybrid Cell PM Coupler	PDL Loop High Charmel Isolation WDM	Array PBC	OADM and Array OADM
	(NFC1P039X (1)		NF10150 (50923-2000- 500	NF10162	NFI0164	NFI0186	NF10167

	<i>c</i> *	
	Disclosure	
QI (Brian) Deng, Xiwen Wang, Bing Zhang, Liren Du, Shuqing (Mary) Me, Yongiin Huang	Qi (Brian) Deng	
Optical Polarization Beam Combiner and Isolator Array Polarization Beam Combiner	ا ة	Better Optical Alignment and Bonding
NF10168	NF10169	